

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Michael Hamlin,

Case No. 5:17CV1443

Petitioner,

v.

ORDER

Warden LaShaunn Eppinger,

Respondent.

Pro se petitioner Michael Hamlin has filed a petition seeking a writ of habeas corpus under 28 U.S.C. § 2254. (Doc. 1). Respondent, LaShaunn Eppinger, Warden of Grafton Correctional Institution, moves to dismiss the petition. (Doc. 10). Magistrate Judge James R. Knepp, II, has entered a Report and Recommendation recommending I grant the motion. (Doc. 13).

The Magistrate Judge has given the parties proper notice under 28 U.S.C. § 636(b)(1)(C), including notice that they would waive appeal if they fail to file objections to the Report and Recommendation in a timely manner. *See United States v. Walters*, 638 F.2d 947 (6th Cir.1981). As of the date of this order, petitioner has filed no objections, and has therefore waived his right to further review.

I have, nonetheless, reviewed the petition and related filings. I find Magistrate Judge Knepp's Report and Recommendation well taken. I therefore adopt it and grant the motion.

Conclusion

For the foregoing reasons, it is hereby

ORDERED THAT:

1. The Magistrate Judge's Report and Recommendation (Doc. 13) be, and the same hereby is, adopted; and
2. The petition (Doc. 1) be, and hereby is, dismissed with prejudice.

A certificate of appealability will not issue because jurists of reason would not find it debatable whether I am correct in concluding that the petition for relief should be denied. *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

An appeal from this order, moreover, would be frivolous, and shall not be taken without payment of the requisite filing fee.

So ordered.

/s/ James G. Carr
Sr. U.S. District Judge